

PATENT
HMD2000-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Thomas N. Giaccherini, et al.

Examiner:

Serial No.: 09/579,324

Group Art Unit: 2731

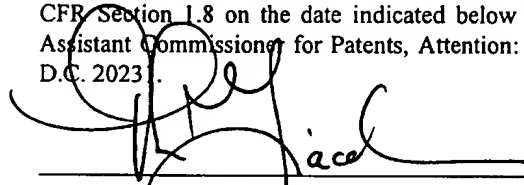
Title: **Method for Utilizing
Excess Communications Capacity**



Filed: 25 May 2000

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to The Assistant Commissioner for Patents, Attention: BOX DD, Washington, D.C. 20231.



Thomas N. Giaccherini, Registration No. 31,075

Date 25 Jan
2002.

FIRST DISCLOSURE STATEMENT

The Assistant Commissioner for Patents
Box DD
Washington, D.C. 20231

Sir:

The Applicants submit this First Disclosure Statement and completed Form PTO/SB/08A for their pending U.S. Patent Application. The documents listed in this First Disclosure Statement were cited in an International Search Report from the European Patent Office for a corresponding PCT International Patent Application which was mailed to the Applicants on 19 December 2001. A copy of the EPO ISR accompanies this First Disclosure Statement.

DISCLOSURE DOCUMENTS

U.S. Patent No. 5 864 557 issued to Lyons discloses a transport stream encoder, which comprises a plurality of component signal sources.

PCT International Patent Application Publication No. WO 97/18651 owned by Hughes Aircraft Company discloses a method and apparatus for an adaptor card for use in a computer to provide conditional access by the computer to incoming data streams. A copy of this document accompanies this First Disclosure Statement.

CERTIFICATION

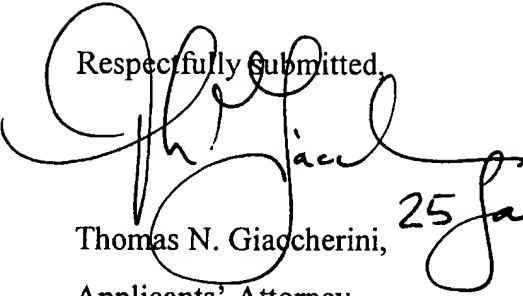
Each item of information contained in this First Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this First Information Disclosure Statement.

CONCLUSION

The Applicants submit that none of the documents described above disclose the Invention as claimed in the present Patent Application. The Applicants believe that no fee is required to submit this First Disclosure Statement.

First Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
HMD2000-1

Respectfully Submitted,


Thomas N. Giaccherini,
Applicants' Attorney

25 Jan 02.

Registration No. 31,075

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Mailed to the United States Patent Office

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| Substitute for form 1449A/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 09/579,324 |
| | | Filing Date | 25 MAY 2000 |
| | | First Named Inventor | GIACCHERINI |
| | | Art Unit | 2731 |
| | | Examiner Name | |
| Sheet One of One | Attorney Docket Number | HMD2000-1 | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials ¹ | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number - Kind Code ² (if known) | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
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| Examiner Initials ¹ | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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ACKNOWLEDGMENT POSTCARD

Method for Utilizing Excess Communications Capacity

Serial No.: 09/579,324
File Date: 25 May 2000
Applicants: Thomas N. Giaccherini, et al.

SUBMISSION OF FIRST DISCLOSURE STATEMENT

To the Patent Office:

Please acknowledge your receipt of the following documents by affixing the PTO date and time stamp below and by returning this card to me by U.S. Mail.

Documents enclosed:

A First Disclosure Statement (3 pages);

PTO/SB/08A (1 page);

A copy of an International Search Report for
PCT International Patent Application No. PCT/US01/14828
(6 pages); and

A copy of PCT International Patent Application No. PCT/US96/00580.

Thank you.

Thomas N. Giaccherini,
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25 Jan 2002.

Mailed to the Patent Office on 25 January 2002.